

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

11 STEPHEN CHARGIN, 1:02-cv-05751-OWW-LJO-P
12 Plaintiff, ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS (Doc. 78)
13 vs. ORDER GRANTING MOTION TO
DISMISS (Doc. 76)
14 JOHNNY DANG, et al., ORDER DISMISSING ACTION
15 Defendants. /

17 Stephen Chargin ("Plaintiff"), a state prisoner proceeding
18 pro se and in forma pauperis, has filed this civil rights action
19 seeking relief under 42 U.S.C. § 1983. The matter was referred
20 to a United States Magistrate Judge pursuant to 28 U.S.C.
21 § 636(b) (1) (B) and Local Rule 72-302.

22 On May 8, 2006, the Magistrate Judge filed Findings and
23 Recommendations herein which were served on the parties and which
24 contained notice to the parties that any objections to the
25 Findings and Recommendations were to be filed within thirty (30)
26 days. To date, plaintiff has not filed objections to the
27 Magistrate Judge's Findings and Recommendations.

28 //

1 In accordance with the provisions of 28 U.S.C.
2 § 636(b) (1) (C) and Local Rule 73-305, this Court has conducted a
3 de novo review of this case. Having carefully reviewed the
4 entire file, the Court finds the Findings and Recommendations to
5 be supported by the record and by proper analysis.

6 Accordingly, IT IS HEREBY ORDERED that:

7 1. The Findings and Recommendations, filed May 8, 2006,
8 are ADOPTED IN FULL;

9 2. Defendant's Motion to Dismiss, filed February 8, 2006,
10 is GRANTED; and,

11 3. This action is DISMISSED on the grounds that Plaintiff
12 has failed to exhaust his administrative remedies.

13 IT IS SO ORDERED.

14 Dated: August 3, 2006
15 emm0d6

/s/ Oliver W. Wanger
16 UNITED STATES DISTRICT JUDGE

17
18
19
20
21
22
23
24
25
26
27
28